

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	CASE NO. 5-15-04083-JJT
	:	
JOHN P. MELCHIOR,	:	CHAPTER 7
	:	
DEBTOR.	:	
	:	

**CHAPTER 7 TRUSTEE'S MOTION TO
CONTINUE HEARING WITH CONCURRENCE**

TO THE HONORABLE JOHN J. THOMAS, BANKRUPTCY JUDGE:

AND NOW COMES, Mark J. Conway, Chapter 7 Trustee of the Estate of John P. Melchior, by and through his undersigned counsel, hereby requesting an Order continuing the hearing scheduled for October 20, 2016, and, in support thereof, respectfully represents as follows:

BACKGROUND

1. Debtor filed a Voluntary Petition for relief under Chapter 7 of the United States Bankruptcy Code on September 23, 2015.
2. Mark J. Conway is the Chapter 7 Trustee for the Estate of John P. Melchior (the "Trustee"), having been duly appointed in the above-captioned case on September 23, 2015.
3. On or about June 22, 2016, the Trustee filed an Application to Approve Settlement of FINRA Arbitration and Pay Counsel Fees and Expenses (Dkt. No. 55).
4. On or about July 5, 2016, an Objection to the aforementioned Application was filed on behalf of Debtor, and a hearing was scheduled for August 18, 2016 (Dkt. No. 58).

5. On August 17, 2016, Debtor's counsel filed a Request to Continue Hearing/Trial With Concurrence (Dkt. No. 63), and subsequently, an Order issued scheduling a hearing for September 22, 2016.

6. On September 20, 2016, Debtor's counsel filed a Motion to Continue the hearing, and subsequently, an Order issued granting said motion and scheduling a hearing on both the Application for Approval of Settlement and the Trustee's Objection to Debtor's Exemptions for October 20, 2016 (Dkt. Nos. 66 and 67).

7. The Trustee recently received the report of Debtor's expert and requests a thirty (30) day continuance of the hearing scheduled for October 20, 2016, in order to review the report with counsel handling the proposed FINRA settlement on behalf of the Trustee, and to explore the possibility of resolving the matters with Debtor's counsel.

8. Debtor's counsel concurs with the Trustee's request for continuance of the October 20, 2016 hearing.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order, granting a continuance of the hearing set on the Chapter 7 Trustee's application to Approve Settlement of FINRA Arbitration and Pay Counsel Fees

and Expenses and the Chapter 7 Trustee's Objection to Debtor's Exemptions
and for such other and further relief as is just and proper.

LAW OFFICES OF MARK J. CONWAY, P.C.

/s/ Mark J. Conway
MARK J. CONWAY, ESQ.
502 South Blakely Street
Dunmore, PA 18512
(570) 343-5350

Counsel for Defendant

Dated: October 18, 2016

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CERTIFICATE OF SERVICE

I, Constance Norvilas, Paralegal, hereby certify that on this 18th day of October, 2016, I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system which sent notification of such filing to the following Filing Users at the following e-mail addressed:

U.S. Trustee
Middle District of PA
228 Walnut Street
Room 1190
Harrisburg, PA 17101
ustpreion03.ha.ecf@usdoj.gov

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LAW OFFICES OF MARK J. CONWAY, P.C.

/s/ Constance Norvilas
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ORDER GRANTING MOTION TO CONTINUE HEARING

Upon consideration of the **CHAPTER 7 TRUSTEE'S MOTION TO CONTINUE HEARING** and good cause having been shown, it is hereby

ORDERED that the above captioned Motion for Continuance with Concurrence be and is hereby granted, and the hearing scheduled for October 20, 2016 at 9:30 A.M. is hereby continued to